



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



DAN WYANT  
DIRECTOR

April 1, 2011

Mr. Jeff Lippert,  
Federal On-Scene Coordinator  
United States Environmental Protection Agency - Region 5  
Emergency Response Branch  
9311 Groh Road  
Grosse Ile, Michigan 48138

Dear Mr. Lippert:

SUBJECT: Request for U.S. Environmental Protection Agency (U.S. EPA) Response Action; Durable Coatings Corp. (Durable Coatings) - formerly Protech Coating, LLC, and formerly Waste Water Consulting & Management, LLC; Site Identification No. MIK 579 262 676

The Department of Environmental Quality (DEQ), Resource Management Division (RMD), is requesting USEPA response action support related to Durable Coatings, located at 16500 and 16580 Northville Road, Plymouth, Michigan. The most recent site visit took place on February 1, 2011, by RMD staff, accompanied by Ypsilanti Community Utilities Authority (YCUA) staff and the Durable Coatings building owner. Based on observations made during that visit and information obtained from the building owner regarding the nature and volume of wastes on site (see the enclosed inventory of waste materials), DEQ concerns related to the Durable Coatings facility at the Northville Road, Plymouth, Michigan, location are as follows:

1. Durable Coatings is no longer operating at the site and, as such, has abandoned various tanks and containers on site that include various waste liquids, wastewater treatment plant pretreatment wastewaters and sludge, and other process waste liquids, process liquids, and process chemicals associated with electrocoating operations that formerly took place at the Northville Road location.
2. The YCUA issued Durable Coatings a Cease and Desist Order on July 7, 2010, disallowing discharging of process pretreatment wastewaters into the municipal sanitary sewer system. Northville Township terminated municipal water service to the Durable Coatings building on September 30, 2010. The YCUA terminated the Durable Coatings nonsanitary wastewater industrial user permit on October 29, 2010; that termination was retroactively effective September 30, 2010.
3. Inasmuch as Durable Coatings is no longer operating at the Northville Road site, as was evidenced by site visit findings and follow-up conversations and reviews, and in view of the YCUA July 7, 2010, Cease and Desist Order, cessation of municipal

water service to the Durable Coatings facility and the termination of the nonsanitary wastewater industrial user permit, the observed waste materials would be considered "abandoned" and, thereby, "discarded."

4. Durable Coatings has reportedly turned off natural gas heat to the facility and, in view of recent weather conditions, the stored waste materials, much of which are water-based, would be expected to experience freeze/thaw action in response to recent seasonal weather conditions.
5. Based on DEQ and YCUA staff reviews during the February 1, 2011, site visit, there appeared to be a significant potential that freeze/thaw of wastewaters within plastic storage tanks may result in the breakage of tank fixtures, thereby allowing for a potentially catastrophic release of wastewaters. The area of potential release is situated outside of any secondary containment, in close proximity to an industrial stormwater outfall that leads directly to the Rouge River, approximately 60 feet removed from the outfall. This outfall, identified on site diagrams as "Outfall #2," is located within a Durable Coatings truck well and was observed by DEQ staff on February 1, 2011, to be blocked with frozen precipitation.
6. The enclosed documents, provided to the DEQ by the current building owner, summarize the materials on site and indicates an estimated \$89,000.00 cost to remove the abandoned wastewaters, waste materials, and used and unused product materials for appropriate off-site treatment/disposal.
7. The YCUA and/or Northville Township are reportedly seeking additional compensation from Durable Coatings, now located in Atlanta, Georgia.
8. Durable Coatings appears to have successfully appealed an eviction notice that would have been effective on February 1, 2011, but that now appears to be extended indefinitely.
9. It is unclear if Durable Coatings or the building owner would have the financial resources to effectively manage these waste materials off site, within sufficient scope and within an adequate time frame to sufficiently minimize the potential for a release of wastewaters, waste materials, and used and unused product materials, some of which would be expected to be characterized as hazardous waste.
10. Due to the high apparent risk of release of the wastewaters, waste materials, and used and unused product materials within the facility to the waters of the Rouge River and the apparent inability of the interested parties to appropriately manage the "abandoned" wastewaters, waste materials, and used and unused product materials off site, and the inability at this time of the DEQ to respond in kind, USEPA site assessment and response action is, hereby, being requested.

11. The RMD issued Durable Coatings a Violation Notice (VN) on December 1, 2010, related to the observed "abandoned" wastewaters, waste materials, and used and unused product materials. Durable Coatings acknowledged that VN in a December 29, 2011, electronic response letter. Durable Coatings, however, has not acted to characterize or remove waste from the site.
12. A subsequent VN was issued on January 31, 2011, with a February 15, 2011, required response date. That response failed to provide a schedule or otherwise provide confirmation that characterization and removal of the abandoned waste materials and wastewaters will take place, ensuring protection of human health and the environment.
13. Durable Coatings contact information is as follows:

Mr. Regis Michrina, Chief Executive Officer  
Durable Coatings Corp., Atlanta  
170 Selig Drive SW  
Atlanta, Georgia 30336  
404-691-3350  
404-805-4611(Cell)

If you have any questions, please feel free to contact me at the telephone number below, by e-mail at [VeronaL@michigan.gov](mailto:VeronaL@michigan.gov), or at DEQ, RMD, Southeast Michigan District Office, 27700 Donald Court, Warren, Michigan 48092-0982.

Sincerely,



Laura Verona  
Acting District Supervisor  
Southeast Michigan District Office  
Resource Management Division  
586-753-3793

Enclosures

cc: Ms. Liane J. Shekter Smith, DEQ  
Ms. Elizabeth Browne, DEQ  
Mr. John Craig, DEQ  
Mr. Lonnie Lee, DEQ  
Mr. James Day, DEQ